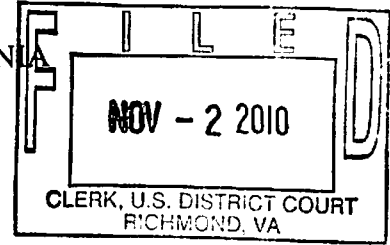


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



ROSS A. MILLER,

Plaintiff,

v.

Civil Action No. 3:10CV807

CREDIT COLLECTION SERVICES, INC.,

SERVE: Robert I. Tatel, President
Credit Collection Services, Inc.
77 Bickford Avenue
Revere, Massachusetts 02151-1722

Defendant.

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA") which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d), 28 U.S.C. §1337. Venue in this District is proper in that the defendant transacted business in this state and the plaintiff chooses to bring this action here.

III. PARTIES

3. Plaintiff, Ross Miller, is a natural person residing in Richmond, Virginia.

4. Defendant, Credit Collection Services, Inc., is a corporation engaged in the business of collecting debts in this state with its principal place of business located in Newton, Massachusetts. One of the principal purposes of Credit Collection Services, Inc. is the collection of debts using the mails and telephone and it regularly attempts to collect debts alleged to be due another.

5. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692a(6).

IV. FACTUAL ALLEGATIONS

6. Plaintiff received a letter dated July 30, 2010 from Defendant requesting payment on an alleged debt of \$176.47. A copy of said letter is attached as **EXHIBIT A**.

7. On August 2, 2010, Plaintiff mailed Defendant a letter disputing the alleged debt and requesting written validation from Defendant. A copy of Plaintiff's letter and the return receipt confirmation are attached as **EXHIBIT B**.

8. On August 20, 2010, Defendant mailed Plaintiff three (3) SunTrust account statements, all showing an ending balance of - \$146.47. A copy of the Sun Trust account statements are attached as **EXHIBIT C**.

9. On September 7, 2010, Plaintiff mailed Defendant a letter disputing the debt and the alleged balance discrepancy between the original Creditor, SunTrust's account statements, and the Defendant's statement balance. A copy of Plaintiff's September 7, 2010 letter is attached as **EXHIBIT D**. Defendant has not responded.

10. Within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant's conduct violated the FDCPA in multiple ways, including but not limited to:

a) Making false and misleading representations regarding the character and status of the debt by demanding payment of \$174.47 but providing verification of the debt of only \$146.47. §1692(e)(2);

b) The use of any false representation or deceptive means to collect or attempt to collect ant debt including misrepresenting the amount owed by Plaintiff §1692 (e)(10).

V. FIRST CLAIM FOR RELIEF

11. Plaintiff repeats, realleges, and incorporates by reference the preceding paragraphs.

12. Defendant violated the FDCPA as noted above.

13. As a result of the above violations of the FDCPA, the defendant is liable to the plaintiff for plaintiff's statutory damages, costs, and attorney fees.

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the defendant for the following:

A. Statutory damages pursuant to 15 U.S.C. §1692k.

B. Costs and reasonable attorney fees pursuant to 15 U.S.C. §1692k.

C. For such other and further relief as may be just and proper.

Respectfully submitted,

ROSS A. MILLER



Counsel for Plaintiff

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